

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sherry Leonard *et al.*

Serial No.: 10/723,940

Group No.: 1649

Filed: 11/26/2003

Examiner: Standley, S.H.

Entitled: Promoter Variants of the Alpha-7 Nicotinic Acetylcholine Receptor

RESPONSE TO NOTICE OF NON-COMPLIANCE  
MAILED OCTOBER 31, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being facsimile transmitted to the USPTO or is being deposited with the U.S. Patent and Trademark Office, via EFS.

Dated: November 10, 2008

By: \_\_\_\_\_

  
Christopher J. Collins

Dear Examiner Standley:

Please enter this communication on the record in responsive to the Notice of Non-Compliance mailed October 31, 2008. The Examiner has indicated that "Claim 26, which contains amended material, is improperly identified as "Previously Presented".

The Applicants thank the Examiner for pointing out this inadvertent error and have corrected the status identifier of Claim 26 to read "Currently Amended". The Applicants now submit a replacement "Amendment To The Claims" section to support the previous Office Action response.